

DOCKET NO: 283625US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
ANTONI TORRENS JOVER, ET AL. : ATTN: BOX SEQUENCE  
SERIAL NO: 10/566,402 :  
FILED: JANUARY 30, 2006 :  
FOR: ACTIVE SUBSTANCE :  
COMBINATION COMPRISING A  
COMPOUND WITH NPY RECEPTOR  
AFFINITY AND A COMPOUND WITH 5-  
HT6 RECEPTOR AFFINITY

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notification of Missing Requirements dated May 8, 2006,  
Applicants submit this paper.

**Remarks/Arguments** begin on page 2 of this paper.

REMARKS/ARGUMENTS

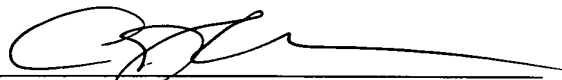
Responsive to the Notification of Missing Requirements dated May 8, 2006, Applicants respectfully submit the Office has erred in stating that "Applicants must provide both a paper copy of the Sequence Listing and an initial computer readable form (CRF) of the Sequence Listing." Applicants U.S. Representative has examined the specification and claims of the application and has concluded that the application does not contain an unbranched nucleotide sequence with ten or more bases or an unbranched, non-D amino acid sequence with four or more specifically defined amino acids, as described in MPEP 2421.02, and therefore does not require submission of a Sequence Listing or CRF. Accordingly, Applicants respectfully submit that the Office has erred in requiring a Sequence Listing and CRF, and that Applicants are therefore not required to provide either a Sequence Listing or CRF.

Along with the paper, Applicants have submitted a Declaration, as required in the Notification of Missing Requirements.

Applicants submit that this paper and the accompanying Declaration are fully responsive to the Notification of Missing Requirements, and that the application is now in condition for examination on the merits. Early notification to this effect is earnestly requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Charles J. Andres, Ph.D.  
Attorney of Record  
Registration No. 57,537

Customer Number  
**22850**

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(OSMMN 06/04)



IAP15 Rec'd PCT/PTO 05 JUL 2006



Docket No.: 283625US0PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/566,402

Applicants: Antoni TORRENS JOVER, et al.

Filing Date: January 30, 2006

For: ACTIVE SUBSTANCE COMBINATION  
COMPRISING A COMPOUND WITH NPY  
RECEPTOR AFFINITY AND A COMPOUND WITH  
5-HT6 RECEPTOR AFFINITY

Group Art Unit:

Examiner:

SIR:

Attached hereto for filing are the following papers:

**Notification of Missing Requirements Under 35 U.S.C. 371 ~ Applicant Copy**

**Response to Notification of Missing Requirements ~ 2 pp.**

**Submission Notice Regarding Supplemental Application Data Sheet**

**Supplemental Application Data Sheet ~ 4 pp.**

**Filing of Declaration Under 37 C.F.R. 1.53(f)**

**Declaration, Power of Attorney and Petition (Executed, 4 pp.)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Charles J. Andres Jr., Ph.D.

Registration No. 57,537

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,402	Antoni Torrens Jover	283625US0PCT

INTERNATIONAL APPLICATION NO.
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PCT/EP04/08514

I.A. FILING DATE	PRIORITY DATE
07/29/2004	07/30/2003

22850

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
 1940 DUKE STREET  
 ALEXANDRIA, VA 22314

CONFIRMATION NO. 3719

371 FORMALITIES LETTER



\*OC000000018703866\*

Date Mailed: 05/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/30/2006
- Copy of the International Search Report filed on 01/30/2006
- Copy of IPE Report filed on 01/30/2006
- Copy of Annexes to the IPER filed on 01/30/2006
- Information Disclosure Statements filed on 01/30/2006
- Request for Immediate Examination filed on 01/30/2006
- U.S. Basic National Fees filed on 01/30/2006
- Priority Documents filed on 01/30/2006
- Specification filed on 01/30/2006
- Claims filed on 01/30/2006
- Abstracts filed on 01/30/2006

RECEIVED: 5/10/06

OBLON, SPIVAK, MCCLELLAND  
 MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: PPS/10/06Type of Resp(s): Deel Due 1 seq listDue Date(s): 7-8-06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**

Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,402	PCT/EP04/08514	283625US0PCT

DOCKET NO.: 283625US0PCT/mtm

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Antoni TORRENS JOVER, et al.

GROUP:

SERIAL NO: 10/566,402

FILED: January 30, 2006

EXAMINER:

FOR: ACTIVE SUBSTANCE COMBINATION COMPRISING A COMPOUND  
WITH NPY RECEPTOR AFFINITY AND A COMPOUND WITH 5-HT6  
RECEPTOR AFFINITY

**SUBMISSION OF SUPPLEMENTAL APPLICATION DATA SHEET**

Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant(s) submit herewith a Supplemental Application Data Sheet for the above-identified application for the purpose of recording the Application Number and Application Filing Date.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



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Charles J. Andres Jr., Ph.D.  
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